

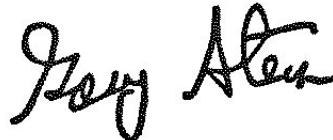


testimony or otherwise conduct a hearing. Any party who believes a hearing should be conducted must so inform the Court by November 15, 2024, and present reasons therefor.

2. By no later than **November 8, 2024**, Plaintiffs' counsel shall provide an additional submission on Mr. Castillo's reasonable efforts to mitigate damages and seek other suitable employment after his termination on March 27, 2021. *See Ford Motor Co. v. E.E.O.C.*, 458 U.S. 219, 231–32 (1982); *Azkour v. Little Rest Twelve*, No. 10 Civ. 4132 (RJS) (KNF), 2014 WL 12779560, at \*4 (S.D.N.Y. Mar. 26, 2014) (“A plaintiff seeking back pay has a duty to mitigate damages by actively seeking new employment.”). Mr. Castillo states that he received three job offers after his termination and before accepting new employment on July 11, 2021. (Dkt. No. 31, Ex. C ¶ 9-10). In his affidavit, Mr. Castillo explained that he “did not accept the offers because [he] did not feel ready to start working and felt scared after being discriminated against . . . .” (*Id.* ¶ 9). The Court requests that Plaintiffs' counsel provide case law support for the proposition that Mr. Castillo's refusal to accept these job offers for this reason is consistent with his duty to mitigate damages. Plaintiffs' counsel also may provide additional evidence in support of this argument. In the event that the Court does not agree with Mr. Castillo's argument, counsel is further directed to provide information on when Mr. Castillo received these three job offers and how much that employment would have paid had Mr. Castillo accepted.

**SO ORDERED.**

Dated: New York, New York  
October 21, 2024




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GARY STEIN  
United States Magistrate Judge